1 2 3 4 5 6 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE 7 EMMANUEL ASHEMUKE 8 9 Petitioner, Case No. C22-1320-JHC-SKV 10 v. ORDER REFERRING CASE TO FEDERAL PUBLIC DEFENDER FOR ISRAEL JACQUEZ, Warden, Federal 11 Detention Center SeaTac, et al., **REVIEW** 12 Respondent. 13 14 Petitioner has filed a petition for federal habeas relief pursuant to 28 U.S.C. § 2241. While there is no constitutional right to appointment of counsel in actions brought under § 2241, 15 the Court may exercise its discretion to appoint counsel for a financially eligible individual 16 17 where the "interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B). It appears from the record that appointment of counsel may be warranted in the instant action due to the complexity 18 19 of the issues involved. However, the Court has insufficient information at present to determine 20 whether the interests of justice, in fact, require such an appointment. 21 Accordingly, the Court does hereby ORDER as follows: This matter is referred to the Office of the Federal Public Defender for review. 22 (1) 23 ORDER REFERRING CASE TO FEDERAL PUBLIC DEFENDER FOR REVIEW - 1

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- (2) Within seven (7) days of the date on which this Order is signed, the Office of the Federal Public Defender shall advise the Court whether it intends to seek appointment in this matter. If the Office of the Federal Public Defender determines that it will seek appointment in this matter, it shall assist Petitioner in preparing a motion for appointment of counsel as well as a financial affidavit which will allow the Court to determine whether Petitioner is financially eligible for such an appointment.
- (3) The Clerk is directed to send copies of this Order to Petitioner, to counsel for Respondent, to the Office of the Federal Public Defender, and to the Honorable John H. Chun. DATED this 29th day of November, 2022.

S. KATE VAUGHAN

United States Magistrate Judge

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